

PATENT

Docket No.: 041-1987

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Satoshi BAN et al.

Serial No. 09/003,812

Filed: 07 January 1998

Group Art Unit: 2644

Examiner: L. Grier

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For: **MULTIPURPOSE EARPHONE SET** (as amended)

MAIL STOP: AMENDMENT
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an **INFORMATION DISCLOSURE STATEMENT** in the above identified application.

- ☐ No additional fee is required.
☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
☒ Also attached: 1) Copy of Search Report Communication from EPO; and
2) Four references (1 US and 3 Japanese) cited therein, with English Abstracts as necessary.

The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	3	20	0	x \$ =	\$ 0.00
Independent Claims	2	3	0	x \$ =	\$ 0.00
Fees					\$ 0.00
TOTAL FEE DUE					\$ 0.00

- ☐ Form 2038 in the amount of \$.00 is attached
☒ The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication to Deposit Account No. 50-1088, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,
CLARK & BRODY



Israel Gopstein
Registration No. 27,333

1090 Vermont Avenue, N.W. Suite 250
Washington, D.C. 20005
Date: April 1, 2005

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Satoshi BAN et al.

Serial No. 09/003,812

Filed: 01/07/1998

For: MULTIPURPOSE EARPHONE SET

Group Art Unit: 2644

Examiner: GRIER, LAURA A.

INFORMATION DISCLOSURE STATEMENT

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached form PTO-1449. It is respectfully requested that the documents be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed before the mailing date of a Notice of Allowance closing prosecution, and within three months of a foreign application search report which first cites the enclosed references. The provisions of 37 C.F.R. 1.97(c)(1), state that

An information disclosure statement shall be considered by the Office if filed after the period specified in paragraph (b) of this section, provided that the information disclosure statement is filed before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by ...The statement specified in paragraph (e) of this section.

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Serial No. 10/635,929

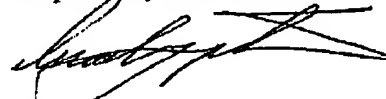
In accordance with the provisions of 37 CFR 1.97(e)(1), applicants hereby state that each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

More specifically, in a communication dated March 2, 2005, the European Patent Office (EPO) examiner identified four references as being of category "A" relevance to the present application, i.e., as providing technological background therefor. Applicants provide herewith a copy of the search report communication of the EPO, as well as copies of the three identified Japanese references (along with English language abstracts) and the single US patent identified in the search report and identify the fourth reference as US Patent 4,960,018. All references are identified on accompanying form SB08A, a substitute for form 1449/PTO.

It is believed that the search report communication identifies the relevance of the references cited therein to the claims.

Having thus complied with the provisions of 37 CFR 1.97 and 1.98, it is respectfully submitted that consideration of the instant Information Disclosure Statement is in order and the same is courteously requested.

Respectfully submitted,



Israel Gopstein
Registration No. 27,333

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Washington, D.C. 20005
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